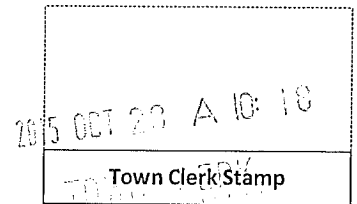


## Framingham Planning Board

Memorial Building • Room B-37 • 150 Concord Street  
Framingham, MA 01702-8373  
(508) 532-5450 • [planning.board@framinghamma.gov](mailto:planning.board@framinghamma.gov)



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### Planning Board Members:

Christine Long, Chair  
Stephanie Mercandetti, Vice Chair  
Lewis Colten, Clerk  
Thomas F. Mahoney  
Victor A. Ortiz

### Planning Board Staff:

Amanda L. Loomis, Planning Board Administrator  
Alexander C. Mello, Associate Program Planner

## TOWN OF FRAMINGHAM PLANNING BOARD

### Notice of Decision

#### Regarding the Application of John Morrison, CT-Sign

For an amend an Approved Decision for Sign Review Approval in Conjunction with a Special Permit Site Plan Application dated August 10, 1994 to modify Condition B. Store Front/Rear Signs to modify signage for Building B  
1 Worcester Road, Framingham MA

On October 6, 2015, the Applicant, John Morrison, CT-Sign, filed with the Planning Board, and on October 6, 2015, the Planning Board filed with the Town Clerk and Town Departments, applications for the amendment of an Approved Decision for Sign Review Approval in Conjunction with a Special Permit Site Plan Application dated August 10, 1994 to modify Condition B. Store Front/Rear Signs. The Application was filed to modify the signage for Building B, Toys R Us. The parcel is located at 1 Worcester Road, located in the Business (B) Zoning District and the Regional Center Overlay District (RC) Overlay District. Said parcel is shown on the Framingham Assessor's Parcel ID: 094-55-2192-000.

After the notice of the public hearing was published in "The MetroWest Daily News" on October 12, 2015 and October 19, 2015 and mailed to parties of interest pursuant to the Framingham Zoning By-law and M.G.L. Chapter 40A, the Planning Board opened the public hearing on October 26, 2015 at 7:00 pm in the Ablondi, Memorial Building, Framingham. A continued public hearing was held on October 27, 2015.

On October 27, 2015 the Planning Board **APPROVED** with conditions said Application for the amendment of an Approved Decision for Sign Review Approval in Conjunction with a Special Permit Site Plan Application dated August 10, 1994 to modify Condition B. Store Front/Rear Signs for 1 Worcester Road, Building B and a **DECISION** was filed in the office of the Town Clerk on October 28, 2015.

*Christine Long, Chair*  
**FRAMINGHAM PLANNING BOARD**

Any appeal from the Decision shall be made pursuant to G.L. Ch. 40A, Sec. 17 and must be filed within twenty (20) days after the date of filing of the Decision in the office of the Town Clerk.

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### Planning Board Members:

Christine Long, Chair

Stephanie Mercandetti, Vice Chair

Lewis Colten, Clerk

Thomas F. Mahoney

Victor A. Ortiz

This Decision was granted under the October 2015  
Framingham Zoning By-law

## DECISION OF THE FRAMINGHAM PLANNING BOARD FOR THE PROPERTY LOCATED AT 1 WORCESTER ROAD (BUILDING B)

### General Property Information

Property Address: 1 Worcester Road, Building B (Toys R Us)

Assessor's Information: 094-55-2192-000

Zoning District/Overlay District: Business (B) Zoning District/Regional Center Overlay District

### Application Information

Application(s): Request to amend an Approved Decision for Site Plan Review Approval in Conjunction with a Special Permit Site Plan Application dated August 10, 1994 to modify Condition B., specifically for Building B Sections of the Zoning By-law Under Review: Section B.2 of the approved decision - August 10, 1994

Sections of the General By-law Under Review: N/A

Date application(s) were filed with the Planning Board: October 6, 2015

Date application(s) were filed with the Town Clerk: October 6, 2015

Project Number: PB-014-15

### General Project Contact Information

Applicant Name: CT Sign-John Morrison

Applicant Address: 23 Saybrook Road Essex, CT 06426

Landowner Name: DDR MDT Shoppers World LLC

Landowner Address: 3300 Enterprise Pkwy Beachwood, OH 44122

Project Contact Name: CT Sign-John Morrison

Engineer Name: N/A

Engineer Company: N/A

### Legal Ad & Public Hearing Information

Run dates of the Legal Ad: (14 days prior) October 12, 2015 and (7 days prior) October 19, 2015

Date of abutter/7 Abutting municipality/parties of interest mailing: October 9, 2015

Date of opening public hearing: October 26, 2015

Date(s) of continued public hearings: October 27, 2015

Applicant's Representatives in attendance at the Public Hearing(s): John Morrison, CT Sign

Planning Board members in attendance at the public hearing(s): Christine Long, Chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz

### Other Information Regarding the Project

Posting of the Community Notice Sign: N/A

### Planning Board Approval Information

Sign Renderings Approved by the Planning Board July 11, 2015, revised through October 2, 2015

Date of Decision – Approved by the Planning Board October 27, 2015

2015 OCT 29 A 10:18  
TOWN CLERK

## **PROJECT DESCRIPTION**

The applicant seeks to remove the existing non-conforming primary wall sign above the entrance of Building B – Toys R Us. The Applicant proposes to replace the existing letters: T O Y S U S that are 5' tall with new letters: T O Y S U S letters that are as well 5' tall. The letters T O Y S U S are compliant with the August 10, 1994 Planning Board Decision, which permits primary signs to have signs 5' x 40'. The Applicant further requests to remove the nonconforming 10' star with the "R" and replace it with a lesser nonconforming R that is 7'6", which exceeds the permitted height by 2'6".

According to the August 10, 1994 Planning Board Decision permits Building B to have two primary signs (5'x40') and one secondary sign (2'x30'). There is further question regarding the second primary sign, which is located on Building A. The Planning Board has requested the second primary sign, located on Building A be removed and may be relocated to the rear of Building B.

## **HEARING**

The Framingham Planning Board held a total of two public hearings during the review of the Project located at 1 Worcester Road, Building B: October 26 and October 27, 2015. Framingham Planning Board Members present during the public hearings held for the Project were Christine Long, Chair, Lewis Colten, Clerk, Thomas Mahoney, and Victor Ortiz. During the course of the public hearings, the following individuals appeared on behalf of the Applicant: John Morrison, CT Signs.

During the course of the public hearing process, the Planning Board took under advisement all information received from members of the public that provided input during the review of this Project. The Planning Board arrived at this Decision based on the Framingham Zoning By-law, information submitted by the Applicant, comments from town boards and officials, and members of the public. Findings from the application and public hearing process resulted in the development of the conditions contained within this Decision.

## **FINDINGS**

Having reviewed all of the applications and sign renderings filed by the Applicant for the modification to the August 10, 1994 Decision, specifically for the modification of Condition B Store Front/Rear Signs, the Planning Board makes the following findings:

### **Condition B. Store Front/Rear Signs**

Building B is located in the southeastern portion of Shoppers' World. Building B is permitted to have two primary signs (5'x40') and one secondary sign (2'x30'). The existing sign was not installed in conformance with the August 10, 1994 Planning Board Decision, which makes the sign non-conforming. The Applicant is seeking to replace the existing primary wall sign above the main entrance and install a new primary sign. The existing primary wall sign consists of six letters (TOYSUS) at the height of 5' and a star with an "R" at the height of 10'. The new primary wall sign would retain the 5' letter height for the TOYSUS, and remove the star with an "R" and replace it with a 7'6" R. Both the existing and new primary wall sign are not compliant with the August 10, 1994 Planning Board Decision. The revised sign brings the existing signage closer to compliance, but is still 2'6" taller than regulations allow.

Furthermore, there is a question as to the location of the secondary primary sign, which is located on Building A. Building B is permitted to have two primary signs, however, they need to be located on Building B. The Planning Board has requested that the Applicant and Toys R Us remove the Toys R US sign from Building A and relocate the sign onto Building B. The Applicant and Toys R Us have agreed to remove this nonconforming sign and relocate it to the rear of Building B. The removal of the second primary sign shall be removed from Building A, prior to allowing the Applicant to install the new primary sign above the entrance.

#### **CONDITIONS OF APPROVAL**

The Planning Board finds that the application and sign renderings submitted by the Applicant comply with all applicable provisions of the Town's By-Laws, relevant to this review. Accordingly, the Planning Board votes are pursuant to relevant provisions of the Town By-Laws that include Modification to an Approved Decision for Sign Review Approval in Conjunction with a Special Permit for Site Plan Application dated August 10, 1994, Condition B. Store Front/Rear Signs for Building B. Said approval from the Planning Board is subject to the following conditions:

#### **General Provisions**

1. The Applicant and Toys R Us both agree and shall remove the second primary Toys R Us wall sign located on the southern side of Building A prior to the installation of the primary wall sign over the entrance of the Toys R Us store. The Applicant may exercise the right to relocate the second primary sign to the rear of Building B as permitted by the August 10, 1994 Planning Board Decision.

#### **VOTES**

#### **Modification to an Approved Decision for Sign Review Approval in Conjunction with a Special Permit for Site Plan Application dated August 10, 1994, Condition B. Store Front/Rear Signs for Building B.**

The vote four in favor and zero opposed to granting an Application for a modification to the Planning Board's August 10, 1994 Decision, specifically for Building B for the modification of Condition B. Store Front/Rear Signs to allow the Applicant, John Morrison, CT-Sign, specifically to modify Condition B. Store Front/Rear Signs for Building B of the Shoppers' World Regional Shopping Center to allow for the installation of a green awning above the entrance of Building B. The Project is located at 1 Worcester Road (Building B), said parcel is shown on the Framingham Assessor's ID 094-55-2192-000.

Christine Long..... yes  
Lewis Colten.....yes  
Thomas F. Mahoney.....yes  
Victor Ortiz.....yes

By: \_\_\_\_\_

Christine Long, Chairperson Framingham Planning Board

Date of Signature: 10/27/2015

### Exhibits

Not attached unless indicated

The Applicant has filed with the Planning Board various plans and reports required under the requirements of the By-Laws. During the review process, the Applicant and its professional consultants also submitted revisions to sign renderings in response to requests by the Planning Board and by the various Town Departments that reviewed the Project. These sign renderings, reports, and correspondence are contained in the Planning Board's files and are hereby incorporated into this Decision by reference.

1. Form A – Application Cover Letter, 1 Worcester Road, stamped with the Town Clerk on October 6, 2015, Project Number: PB-014-15
2. Form G – Application for Request for Modification, 1 Worcester Road, stamped with the Town Clerk on October 6, 2015, Project Number: PB-014-15.
3. Site Photo with Signage, Toys R us – 7505, 1 Worcester Rd, prepared by Walton Signage, dated July 11, 2015, revised through October 2, 2015 (4 Sheets)

The Planning Board received correspondence various Town Departments who review the project. The aforesaid correspondence is contained in the Planning Board files and is incorporated herein by reference.

1. Department of Building & Wire, correspondence received via ACCELA on October 19, 2015
2. Fire Department, correspondence received via ACCELA on October 8, 2015
3. Letter from the Department of Building Inspections (Department of Building & Wire), RE: Application for “Toys R Us” Wall sign at 1 Worcester Road, dated September 8, 2015